

UNOFFICIAL VERSION

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WEDNESDAY, APRIL 18, 2012

SEVENTY-THIRD LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 8:30 a.m., and was called to order by Mr. Speaker Ramsey.

PRAYER

The proceedings were opened with prayer by Dr. Ravi Zacharias of Zacharias International Ministries in Atlanta, Georgia, a guest of Senator Finney.

PLEDGE OF ALLEGIANCE

Senator Finney led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 32

Senators present were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

STANDING COMMITTEE REPORTS

HEALTH AND WELFARE

MR. SPEAKER: Your Committee on Health and Welfare begs leave to report that we have carefully considered and recommend for passage: House Joint Resolution No. 620.

CROWE, Chairperson
April 17, 2012

The Speaker announced that he had referred House Joint Resolution No. 620 to the Committee on Calendar.

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 2345; also, recommend that Senate Bill No. 1715 be referred to Committee on Finance, Ways and Means.

BELL, Chairperson
April 17, 2012

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The Speaker announced that he had referred Senate Bill No. 2345 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 1715 to the Committee on Finance, Ways and Means.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1452 with amendment, 1738 with amendment, 2129 with amendment, 2249, 2251 with amendment, 2280 with amendment, 2292, 2510, 2686 with amendment, 2701 with amendment, 2809 with amendment, 2882, 2895, 2923 with amendment, 2949, 3018 with amendment, 3027, 3065 with amendment, 3094, 3106 with amendment, 3248, 3264, 3330, 3590 and 3620; Senate Joint Resolution No. 668; and House Joint Resolutions Nos. 667 and 734.

MCNALLY, Chairperson
April 17, 2012

The Speaker announced that he had referred Senate Bills Nos. 1452 with amendment, 1738 with amendment, 2129 with amendment, 2249, 2251 with amendment, 2280 with amendment, 2292, 2510, 2686 with amendment, 2701 with amendment, 2809 with amendment, 2882, 2895, 2923 with amendment, 2949, 3018 with amendment, 3027, 3065 with amendment, 3094, 3106 with amendment, 3248, 3264, 3330, 3590 and 3620; Senate Joint Resolution No. 668; and House Joint Resolutions Nos. 667 and 734 to the Committee on Calendar.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bills Nos. 3815 and 3816** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILLS

The Speaker announced that the following bills were filed for introduction and passed first consideration:

Senate Bill No. 3815 by Senator Barnes.

Clarksville -- As introduced, subject to local approval, rewrites the charter. Amends Chapter 252 of the Private Acts of 1929; as amended.

Senate Bill No. 3816 by Senator Yager.

Lake County -- As introduced, subject to local approval, reduces number of school districts from four to three; increases Lake County board of education from eight members to nine members. Amends Chapter 119 of the Private Acts of 2002.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 2286, 2459, 2633, 2714, 3175, 3429 and 3867** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced that the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 2286 -- Criminal Offenses -- As introduced, creates Class E felony of manufacturing or selling an imitation controlled substance and the Class A misdemeanors of ingesting an imitation controlled substance and possessing an imitation controlled substance for the purpose of ingesting it. Amends TCA Title 39, Chapter 17, Part 4.

House Bill No. 2459 -- Alcohol Offenses, Sales -- As introduced, creates offense for person under 21 to enter establishment selling for off-premise consumption intoxicating liquors unless accompanied by a parent, legal guardian or spouse 21 years of age or older; creates offense for visibly intoxicated person to enter any such establishment. Amends TCA Title 39, Chapter 14, Part 4; Title 39, Chapter 15, Part 4 and Title 57, Chapter 3.

House Bill No. 2633 -- Clerks, Court -- As introduced, increases by \$2.00 the filing fee charged by clerks and data fee entry chargeable by clerks, except in certain cases brought by the state and state agencies. Amends TCA Section 8-21-401 and Section 8-21-409.

House Bill No. 2714 -- Highway Signs -- As introduced, names bridge in Sullivan County in honor of the late Richard Lee Edwards, Sr.

House Bill No. 3175 -- Criminal Offenses -- As introduced, implements various procedures concerning controlled substance analogues in the same manner in which those procedures are carried out concerning controlled substances. Amends TCA Title 4; Title 7; Title 8; Title 10; Title 29; Title 36; Title 37; Title 38; Title 39; Title 40; Title 41; Title 49; Title 50; Title 53; Title 55; Title 57; Title 62; Title 63; Title 65; Title 67 and Title 68.

House Bill No. 3429 -- Unemployment Compensation -- As introduced, requires Department of Labor and Workforce Development to implement an Internet-based system that allows employers to receive notices electronically and to submit separation information electronically; requires more information be included on unemployment insurance tax statement at request of employer. Amends TCA Title 4, Chapter 3, Part 14 and Title 50, Chapter 7.

House Bill No. 3867 -- Cookeville -- As introduced, subject to local approval, incorporates by reference for Cookeville officers and employees present general law language related to conflict of interest and contracting. Amends Chapter 223 of the Private Acts of 1961.

MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bill No. 3814** be passed on second consideration and be referred to the appropriate committee or held on the Clerk's desk, which motion prevailed.

SENATE BILL ON SECOND CONSIDERATION

The Speaker announced that the following bill passed second consideration and was referred to the appropriate committee or held on the Clerk's desk:

Senate Bill No. 3814 Local bill -- held on desk.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 800 through 805 and 807 through 849** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 800 by Senator Beavers.
Memorials, Recognition -- Wilson Bank & Trust, 25th anniversary.

Senate Joint Resolution No. 801 by Senator Tracy.
Memorials, Interns -- John Brock.

Senate Joint Resolution No. 802 by Senator Tracy.
Memorials, Interns -- Mina Mossad.

Senate Joint Resolution No. 803 by Senator Henry.
Memorials, Death -- Earl Eugene Scruggs.

Senate Joint Resolution No. 804 by Senator Kyle.
Memorials, Academic Achievement -- Javon Michael Ford, Valedictorian, Ridgeway High School.

Senate Joint Resolution No. 805 by Senator Kyle.
Memorials, Academic Achievement -- Esteban Andres Pilo-Pais, Salutatorian, Ridgeway High School.

Senate Joint Resolution No. 807 by Senator Ketron.
Memorials, Interns -- Thomas Kyle Turner.

Senate Joint Resolution No. 808 by Senator Ketron.
Memorials, Interns -- Michael Anthony Ripley.

Senate Joint Resolution No. 809 by Senators Barnes and Roberts.
Memorials, Academic Achievement -- Ivan Chesterfield Biggs, Valedictorian, Cheatham County Central High School.

Senate Joint Resolution No. 810 by Senators Barnes and Roberts.
Memorials, Academic Achievement -- Kayla Elizabeth Winters, Salutatorian, Cheatham County Central High School.

Senate Joint Resolution No. 811 by Senators Barnes and Roberts.
Memorials, Academic Achievement -- Destiny Nicole LaGarce, Valedictorian, Sycamore High School.

Senate Joint Resolution No. 812 by Senators Barnes and Roberts.
Memorials, Academic Achievement -- Kristin Hope Knight, Salutatorian, Sycamore High School.

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Senate Joint Resolution No. 813 by Senators Barnes and Roberts.

Memorials, Academic Achievement -- Anna Claire Robinson, Valedictorian, Harpeth High School.

Senate Joint Resolution No. 814 by Senator Barnes.

Memorials, Academic Achievement -- Connor Andrew Reed, Valedictorian, Academy for Academic Excellence.

Senate Joint Resolution No. 815 by Senator Barnes.

Memorials, Academic Achievement -- Ross Manley Svanberg, Salutatorian, Academy for Academic Excellence.

Senate Joint Resolution No. 816 by Senator Barnes.

Memorials, Academic Achievement -- Martha Dawson Nicholson, Valedictorian, Clarksville Academy.

Senate Joint Resolution No. 817 by Senator Barnes.

Memorials, Academic Achievement -- Lauren Elizabeth Maki, Salutatorian, Clarksville Academy.

Senate Joint Resolution No. 818 by Senator Barnes.

Memorials, Academic Achievement -- Skyler Daniel Gordon, Valedictorian, Northeast High School.

Senate Joint Resolution No. 819 by Senator Barnes.

Memorials, Academic Achievement -- Joseph Eugene Dallas, Salutatorian, Northeast High School.

Senate Joint Resolution No. 820 by Senator Barnes.

Memorials, Academic Achievement -- Newton Earl Garner, Valedictorian, Northwest High School.

Senate Joint Resolution No. 821 by Senator Barnes.

Memorials, Academic Achievement -- Della Margaret Coleman, Salutatorian, Northwest High School.

Senate Joint Resolution No. 822 by Senator Barnes.

Memorials, Academic Achievement -- Kaitlyn Nichole Butler, Valedictorian, Rossvie High School.

Senate Joint Resolution No. 823 by Senator Barnes.

Memorials, Academic Achievement -- Caitlin Dawn Campbell, Salutatorian, Rossvie High School.

Senate Joint Resolution No. 824 by Senator Barnes.

Memorials, Academic Achievement -- Adriana Isabel Larsen, Valedictorian, West Creek High School.

Senate Joint Resolution No. 825 by Senator Barnes.

Memorials, Academic Achievement -- Austin Richard Wyer, Salutatorian, West Creek High School.

Senate Joint Resolution No. 826 by Senator Barnes.

Memorials, Academic Achievement -- Geneva Mei Brennan Vezeau, Valedictorian, Clarksville High School.

Senate Joint Resolution No. 827 by Senator Barnes.

Memorials, Academic Achievement -- Mariah Paige Beane, Salutatorian, Clarksville High School.

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Senate Joint Resolution No. 828 by Senator Barnes.

Memorials, Academic Achievement -- Alicia Marie Kingston, Valedictorian, Kenwood High School.

Senate Joint Resolution No. 829 by Senator Barnes.

Memorials, Academic Achievement -- Lisa Ann Mitchell, Salutatorian, Kenwood High School.

Senate Joint Resolution No. 830 by Senator Barnes.

Memorials, Academic Achievement -- Kristyn Leigh Simpson, Valedictorian, Montgomery Central High School.

Senate Joint Resolution No. 831 by Senator Barnes.

Memorials, Academic Achievement -- Lauren Nicole Bone, Salutatorian, Montgomery Central High School.

Senate Joint Resolution No. 832 by Senator Yager.

Memorials, Recognition -- Julia Hopper Daniel.

Senate Joint Resolution No. 833 by Senator Yager.

Memorials, Recognition -- Dr. Joyce G. Crouch.

Senate Joint Resolution No. 834 by Senator Yager.

Memorials, Recognition -- Ken Croom, Chamber of Commerce Businessman of the Year.

Senate Joint Resolution No. 835 by Senator Yager.

Memorials, Recognition -- Dan Sanders, Chamber of Commerce Ambassador of the Year Award.

Senate Joint Resolution No. 836 by Senator Yager.

Memorials, Recognition -- Christine Ralph, Chamber of Commerce Volunteer of the Year.

Senate Joint Resolution No. 837 by Senator Yager.

Memorials, Death -- Julene Purser Morgan.

Senate Joint Resolution No. 838 by Senator Yager.

Memorials, Recognition -- Walt Goolsby.

Senate Joint Resolution No. 839 by Senator Yager.

Memorials, Recognition -- Wilma Brummett.

Senate Joint Resolution No. 840 by Senator Yager.

Memorials, Recognition -- Loretta Painter.

Senate Joint Resolution No. 841 by Senator Barnes.

Memorials, Academic Achievement -- Kaitlyn Elizabeth Boggs, Valedictorian, Houston County High School.

Senate Joint Resolution No. 842 by Senator Barnes.

Memorials, Academic Achievement -- Justin Andrew Cockrell, Valedictorian, Houston County High School.

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Senate Joint Resolution No. 843 by Senator Barnes.

Memorials, Academic Achievement -- Teresa Jill Mitchell, Valedictorian, Houston County High School.

Senate Joint Resolution No. 844 by Senator Barnes.

Memorials, Academic Achievement -- Kelli Nicole Parker, Valedictorian, Houston County High School.

Senate Joint Resolution No. 845 by Senator Barnes.

Memorials, Academic Achievement -- Riley Elizabeth Pitts, Valedictorian, Houston County High School.

Senate Joint Resolution No. 846 by Senator Barnes.

Memorials, Academic Achievement -- Sean John-Robert Settle, Valedictorian, Houston County High School.

Senate Joint Resolution No. 847 by Senator Barnes.

Memorials, Academic Achievement -- Sarah Jessica Thibault, Valedictorian, Houston County High School.

Senate Joint Resolution No. 848 by Senator Barnes.

Memorials, Academic Achievement -- Quinton Craig Roby, Salutatorian, Houston County High School.

Senate Joint Resolution No. 849 by Senator Barnes.

Memorials, Retirement -- Sergeant First Class, Edward Tyree.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 636, 783, 914, 915, 917 through 932, 935, 937 through 946 and 948 through 958**; and **Senate Joint Resolutions Nos. 781, 782 and 786 through 799** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced that the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 636 -- Naming and Designating -- "Tennessee Recyclers Day" in Tennessee, April 26, 2012.

The Speaker announced that he had referred House Joint Resolution No. 636 to the Committee on Calendar.

House Joint Resolution No. 783 -- Memorials, Public Service -- Representative Janis Baird Sontany.

The Speaker announced that he had referred House Joint Resolution No. 783 to the Committee on Calendar.

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House Joint Resolution No. 914 -- Memorials, Interns -- Kirstin Leigh Cheers.

The Speaker announced that he had referred House Joint Resolution No. 914 to the Committee on Calendar.

House Joint Resolution No. 915 -- Memorials, Death -- Erma Lee Laws.

The Speaker announced that he had referred House Joint Resolution No. 915 to the Committee on Calendar.

House Joint Resolution No. 917 -- Memorials, Interns -- Terry Edwards, Jr.

The Speaker announced that he had referred House Joint Resolution No. 917 to the Committee on Calendar.

House Joint Resolution No. 918 -- Memorials, Death -- Sheril Elliott.

The Speaker announced that he had referred House Joint Resolution No. 918 to the Committee on Calendar.

House Joint Resolution No. 919 -- Memorials, Academic Achievement -- Wesley Jeffers, Salutatorian, Oneida High School.

The Speaker announced that he had referred House Joint Resolution No. 919 to the Committee on Calendar.

House Joint Resolution No. 920 -- Memorials, Academic Achievement -- Shawna Simpson, Valedictorian, Scott County High School.

The Speaker announced that he had referred House Joint Resolution No. 920 to the Committee on Calendar.

House Joint Resolution No. 921 -- Memorials, Academic Achievement -- Taylon Brewster, Salutatorian, Scott County High School.

The Speaker announced that he had referred House Joint Resolution No. 921 to the Committee on Calendar.

House Joint Resolution No. 922 -- Memorials, Academic Achievement -- Emily Hamlett, Salutatorian, Scott County High School.

The Speaker announced that he had referred House Joint Resolution No. 922 to the Committee on Calendar.

House Joint Resolution No. 923 -- Memorials, Academic Achievement -- Sydney Lovett, Valedictorian, Oneida High School.

The Speaker announced that he had referred House Joint Resolution No. 923 to the Committee on Calendar.

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House Joint Resolution No. 924 -- Memorials, Academic Achievement -- Shaun Boles, Salutatorian, Jackson County High School.

The Speaker announced that he had referred House Joint Resolution No. 924 to the Committee on Calendar.

House Joint Resolution No. 925 -- Memorials, Academic Achievement -- Alyssa Stafford, Valedictorian, Jackson County High School.

The Speaker announced that he had referred House Joint Resolution No. 925 to the Committee on Calendar.

House Joint Resolution No. 926 -- Memorials, Academic Achievement -- Jane Anne Suiter, Salutatorian, Pickett County High School.

The Speaker announced that he had referred House Joint Resolution No. 926 to the Committee on Calendar.

House Joint Resolution No. 927 -- Memorials, Academic Achievement -- Stuart Neal, Valedictorian, Pickett County High School.

The Speaker announced that he had referred House Joint Resolution No. 927 to the Committee on Calendar.

House Joint Resolution No. 928 -- Memorials, Personal Achievement -- Jesse Malenfant, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 928 to the Committee on Calendar.

House Joint Resolution No. 929 -- Memorials, Academic Achievement -- Susanna Gabriel Sneed, Salutatorian, Maryville High School.

The Speaker announced that he had referred House Joint Resolution No. 929 to the Committee on Calendar.

House Joint Resolution No. 930 -- Memorials, Academic Achievement -- Bradley Hayes Vorjohan, Valedictorian, Maryville High School.

The Speaker announced that he had referred House Joint Resolution No. 930 to the Committee on Calendar.

House Joint Resolution No. 931 -- Memorials, Recognition -- Watertown High School, 100th anniversary.

The Speaker announced that he had referred House Joint Resolution No. 931 to the Committee on Calendar.

House Joint Resolution No. 932 -- Memorials, Recognition -- Richard Sterban.

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The Speaker announced that he had referred House Joint Resolution No. 932 to the Committee on Calendar.

House Joint Resolution No. 935 -- Memorials, Public Service -- Representative Scotty Campbell.

The Speaker announced that he had referred House Joint Resolution No. 935 to the Committee on Calendar.

House Joint Resolution No. 937 -- Memorials, Death -- Autumn Ford Jennings.

The Speaker announced that he had referred House Joint Resolution No. 937 to the Committee on Calendar.

House Joint Resolution No. 938 -- Memorials, Recognition -- Ryan Dalton, Director of Anti-trafficking Operations with Operation Broken Silence.

The Speaker announced that he had referred House Joint Resolution No. 938 to the Committee on Calendar.

House Joint Resolution No. 939 -- Memorials, Interns -- Anika A. Evans.

The Speaker announced that he had referred House Joint Resolution No. 939 to the Committee on Calendar.

House Joint Resolution No. 940 -- Memorials, Interns -- Kirbi M. Tucker.

The Speaker announced that he had referred House Joint Resolution No. 940 to the Committee on Calendar.

House Joint Resolution No. 941 -- Memorials, Personal Achievement -- Christopher Andrew Neal, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 941 to the Committee on Calendar.

House Joint Resolution No. 942 -- Memorials, Recognition -- Bill Ketchum.

The Speaker announced that he had referred House Joint Resolution No. 942 to the Committee on Calendar.

House Joint Resolution No. 943 -- Memorials, Academic Achievement -- Amber Ruth Shults, Valedictorian, Maryville Christian School.

The Speaker announced that he had referred House Joint Resolution No. 943 to the Committee on Calendar.

House Joint Resolution No. 944 -- Memorials, Academic Achievement -- David Christopher Keylon, Salutatorian, Maryville Christian School.

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The Speaker announced that he had referred House Joint Resolution No. 944 to the Committee on Calendar.

House Joint Resolution No. 945 -- Memorials, Academic Achievement -- Emily Magee Guillaume, Valedictorian, William Blount High School.

The Speaker announced that he had referred House Joint Resolution No. 945 to the Committee on Calendar.

House Joint Resolution No. 946 -- Memorials, Academic Achievement -- Adam Michael Barton, Salutatorian, William Blount High School.

The Speaker announced that he had referred House Joint Resolution No. 946 to the Committee on Calendar.

House Joint Resolution No. 948 -- Memorials, Interns -- Demetria Johnson.

The Speaker announced that he had referred House Joint Resolution No. 948 to the Committee on Calendar.

House Joint Resolution No. 949 -- Memorials, Recognition -- Kinser Church of God, 100th anniversary.

The Speaker announced that he had referred House Joint Resolution No. 949 to the Committee on Calendar.

House Joint Resolution No. 950 -- Memorials, Recognition -- Tennessee Scholastic Clay Target Program.

The Speaker announced that he had referred House Joint Resolution No. 950 to the Committee on Calendar.

House Joint Resolution No. 951 -- Memorials, Interns -- Charles Michael Robinson.

The Speaker announced that he had referred House Joint Resolution No. 951 to the Committee on Calendar.

House Joint Resolution No. 952 -- Memorials, Death -- William Ralph Cole.

The Speaker announced that he had referred House Joint Resolution No. 952 to the Committee on Calendar.

House Joint Resolution No. 953 -- Memorials, Recognition -- Edrin LeQuori Alexander.

The Speaker announced that he had referred House Joint Resolution No. 953 to the Committee on Calendar.

House Joint Resolution No. 954 -- Memorials, Professional Achievement -- Debbie Maples, Lewis County Elementary School Teacher of the Year.

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The Speaker announced that he had referred House Joint Resolution No. 954 to the Committee on Calendar.

House Joint Resolution No. 955 -- Memorials, Professional Achievement -- Judy Duncan, Lewis County Intermediate School Teacher of the Year.

The Speaker announced that he had referred House Joint Resolution No. 955 to the Committee on Calendar.

House Joint Resolution No. 956 -- Memorials, Professional Achievement -- Jim Milan, Lewis County High School Teacher of the Year.

The Speaker announced that he had referred House Joint Resolution No. 956 to the Committee on Calendar.

House Joint Resolution No. 957 -- Memorials, Professional Achievement -- Sue Sharp, Lewis County Middle School Teacher of the Year.

The Speaker announced that he had referred House Joint Resolution No. 957 to the Committee on Calendar.

House Joint Resolution No. 958 -- Memorials, Recognition -- Tennessee State University, 100th anniversary of founding.

The Speaker announced that he had referred House Joint Resolution No. 958 to the Committee on Calendar.

Senate Joint Resolution No. 781 -- Memorials, Academic Achievement -- Biana Fair, Salutatorian, Hamilton High School.

The Speaker announced that he had referred Senate Joint Resolution No. 781 to the Committee on Calendar.

Senate Joint Resolution No. 782 -- Memorials, Academic Achievement -- Darwin Dauine Denton, Valedictorian, Hamilton High School.

The Speaker announced that he had referred Senate Joint Resolution No. 782 to the Committee on Calendar.

Senate Joint Resolution No. 786 -- Memorials, Personal Occasion -- Kathleen and Hobert Campbell, 50th wedding anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 786 to the Committee on Calendar.

Senate Joint Resolution No. 787 -- Memorials, Academic Achievement -- Cody Lynn Burton, Valedictorian, Upperman High School.

The Speaker announced that he had referred Senate Joint Resolution No. 787 to the Committee on Calendar.

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Senate Joint Resolution No. 788 -- Memorials, Academic Achievement -- Candace Nicole Wallace, Salutatorian, Upperman High School.

The Speaker announced that he had referred Senate Joint Resolution No. 788 to the Committee on Calendar.

Senate Joint Resolution No. 789 -- Memorials, Academic Achievement -- Lisa Yuyang Gong, Salutatorian, Cookeville High School.

The Speaker announced that he had referred Senate Joint Resolution No. 789 to the Committee on Calendar.

Senate Joint Resolution No. 790 -- Memorials, Academic Achievement -- Kiara Wenhan Cui, Valedictorian, Cookeville High School.

The Speaker announced that he had referred Senate Joint Resolution No. 790 to the Committee on Calendar.

Senate Joint Resolution No. 791 -- Memorials, Academic Achievement -- Abigayle Marie Clafin, Valedictorian, Cumberland County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 791 to the Committee on Calendar.

Senate Joint Resolution No. 792 -- Memorials, Academic Achievement -- Andrew Barlow, Salutatorian, Monterey High School.

The Speaker announced that he had referred Senate Joint Resolution No. 792 to the Committee on Calendar.

Senate Joint Resolution No. 793 -- Memorials, Academic Achievement -- Taylor Nicole Vaden, Salutatorian, Cumberland County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 793 to the Committee on Calendar.

Senate Joint Resolution No. 794 -- Memorials, Academic Achievement -- Whitney Phillips, Valedictorian, Monterey High School.

The Speaker announced that he had referred Senate Joint Resolution No. 794 to the Committee on Calendar.

Senate Joint Resolution No. 795 -- Memorials, Academic Achievement -- Andrew Frasier Holland, Salutatorian, White County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 795 to the Committee on Calendar.

Senate Joint Resolution No. 796 -- Memorials, Academic Achievement -- Emily Belle Henry, Valedictorian, White County High School.

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The Speaker announced that he had referred Senate Joint Resolution No. 796 to the Committee on Calendar.

Senate Joint Resolution No. 797 -- Memorials, Academic Achievement -- Katherine Suzanne Lyon, Valedictorian, Stone Memorial High School.

The Speaker announced that he had referred Senate Joint Resolution No. 797 to the Committee on Calendar.

Senate Joint Resolution No. 798 -- Memorials, Academic Achievement -- Anna Lauren Smith, Salutatorian, Stone Memorial High School.

The Speaker announced that he had referred Senate Joint Resolution No. 798 to the Committee on Calendar.

Senate Joint Resolution No. 799 -- Memorials, Death -- Ms. Erma Lee Laws.

The Speaker announced that he had referred Senate Joint Resolution No. 799 to the Committee on Calendar.

NOTICE

MESSAGE FROM THE HOUSE

April 17, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2607, substituted for House Bill on same subject, amended, and passed by the House.

JOE MCCORD,
Chief Clerk.

CONSENT CALENDAR NO. 1

Senate Joint Resolution No. 765 -- Memorials, Retirement -- Barry Cooper.

Senate Joint Resolution No. 766 -- Memorials, Recognition -- Paul Agee, Wilson County Agricultural Hall of Fame.

Senate Joint Resolution No. 767 -- Memorials, Recognition -- Betty Delaine Bradford Freeman, Wilson County Agricultural Hall of Fame.

Senate Joint Resolution No. 768 -- Memorials, Recognition -- Newell Jenkins, Wilson County Agricultural Hall of Fame.

Senate Joint Resolution No. 769 -- Memorials, Recognition -- Charles Willoughby, Wilson County Agricultural Hall of Fame.

Senate Joint Resolution No. 770 -- Memorials, Recognition -- White House Heritage High School, TVA Green Schools Program.

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Senate Joint Resolution No. 771 -- Memorials, Recognition -- Greenbrier Middle School, TVA Green Schools Program.

Senate Joint Resolution No. 772 -- Memorials, Recognition -- Jo Byrns Elementary School, TVA Green Schools Program.

Senate Joint Resolution No. 773 -- Memorials, Death -- Joyce Hicks Burchett.

Senate Joint Resolution No. 774 -- Memorials, Sports -- Donelson Christian Academy boys basketball team, Division II-A Champion.

Senate Joint Resolution No. 775 -- Memorials, Interns -- Greg Dowell.

Senate Resolution No. 97 -- Memorials, Retirement -- Deborah Rains.

House Joint Resolution No. 869 -- Memorials, Personal Occasion -- George Leonard Ware, 99th birthday.

House Joint Resolution No. 871 -- Memorials, Recognition -- James R. Barth.

Senator Faulk moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

CONSENT CALENDAR NO. 2

Senate Bill No. 2739 -- Judicial Officers -- As introduced, authorizes the general sessions judges of Williamson County to appoint judicial commissioners; clarifies that when the general sessions judges cannot agree on a judicial commissioner appointment, the chief legislative body shall appoint the judicial commissioner; however, the general sessions judges would still supervise that judicial commissioner. Amends TCA Title 40, Chapter 1.

On motion, Senate Bill No. 2739 was made to conform with **House Bill No. 2859**.

On motion, House Bill No. 2859, on same subject, was substituted for Senate Bill No. 2739.

Senate Bill No. 2914 -- DUI Offenses -- As introduced, clarifies that a person may be compelled to submit to an alcohol test under the implied consent law by other provisions of law, court order or search warrant. Amends TCA Title 55, Chapter 10, Part 4.

On motion, Senate Bill No. 2914 was made to conform with **House Bill No. 2752**.

On motion, House Bill No. 2752, on same subject, was substituted for Senate Bill No. 2914.

Senate Bill No. 2915 -- DUI Offenses -- As introduced, expands present law to provide that it is not a defense to a violation of the DUI statute that a person is or was lawfully entitled to use an intoxicant, marijuana, controlled substance, or other drug. Amends TCA Title 55, Chapter 10, Part 4.

On motion, Senate Bill No. 2915 was made to conform with **House Bill No. 2750**.

On motion, House Bill No. 2750, on same subject, was substituted for Senate Bill No. 2915.

Senate Bill No. 2957 -- Children -- As introduced, states that training for guardians ad litem shall include early childhood, child and adolescent development provided by a qualified professional; requires permanency hearings for children in foster care to be held within 12 months of previous permanency hearing. Amends TCA Section 37-1-149; Section 37-2-409 and Section 37-1-129.

Senate Bill No. 3150 -- Criminal Offenses -- As introduced, requires attorney general to report annually to Judiciary Committee of each chamber of the general assembly the number of persons prosecuted and convicted of unlawful drawing of real estate transfer documents. Amends TCA Title 39 and Title 66.

Senator Faulk moved that all Senate Bills and House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

MOTION

Senator Marrero moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 953**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 953 -- Memorials, Recognition -- Edrin LeQuori Alexander.

On motion of Senator Marrero, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 953** was concurred in.

A motion to reconsider was tabled.

CALENDAR

Senate Bill No. 1093 -- Highway Patrol -- As introduced, requires hiring, promotion and retention of commissioned highway patrol officers to be in compliance with state civil service laws. Amends TCA Title 4, Chapter 7 and Title 8, Chapter 30.

On motion, Senate Bill No. 1093 was made to conform with **House Bill No. 1069**.

On motion, House Bill No. 1069, on same subject, was substituted for Senate Bill No. 1093.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1069** passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senator Henry moved that **Senate Bill No. 2179** be placed on the Calendar for Thursday, April 19, 2012, which motion prevailed.

Senate Bill No. 2569 -- Child Custody and Support -- As introduced, amends the Criminal Injuries Compensation Fund to provide an attachment or lien on the judgment to satisfy child support arrearages. Amends TCA Title 29, Chapter 13.

On motion, Senate Bill No. 2569 was made to conform with **House Bill No. 2744**.

On motion, House Bill No. 2744, on same subject, was substituted for Senate Bill No. 2569.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 29-13-111, is amended by deleting subsection (e) in its entirety and substituting instead the following:

(e)(1) Except as provided in subdivision (e)(2), no award pursuant to this chapter shall be subject to execution or attachment other than for expenses resulting from the injury or death which is the basis of the claim.

(2) If any claimant is entitled to direct compensation pursuant to this chapter and is in arrears with regard to child support payments, the Department of Human Services shall, without further order by the court, attach a lien to any award of compensation such child support obligor receives from the criminal injuries compensation funds in order to satisfy such arrearage; however, a lien shall not apply to awards made by the division directly to service providers pursuant to § 29-13-111(d). The division shall periodically notify the Department of Human Services of claims that have been filed. Upon notice from the division, it shall be the Department of Human Services' responsibility to then notify the division of a lien attaching to a claim for payment of child support arrearage. This subsection shall be effective for decisions made on or after July 1, 2012.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 2744**, as amended, passed its third and final consideration by the following vote:

Ayes	29
Noes	0
Present, not voting . . .	1

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, Massey, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--29.

Senator present and not voting was: Faulk--1.

A motion to reconsider was tabled.

House Bill No. 3274 -- Motor Vehicles -- As introduced, prevents car dealerships from being held vicariously liable when loaning a vehicle to a customer with proof of insurance, except in the case of gross negligence. Amends TCA Title 55.

Senator Herron moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the last sentence in subsection 1(b) and by deleting the last sentence in subsection 2(b).

On motion, Amendment No. 1 was adopted.

On motion of Senator Herron, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 3274**, as amended, passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senate Bill No. 3270 -- Education -- As introduced, states that LEA shall allocate amount equal to state funds per pupil for education of children in mental health facilities and revises criteria for residential mental health facility to receive such funding. Amends TCA Section 49-3-370.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 1 in its entirety and renumbering the subsequent sections accordingly;

AND FURTHER AMEND by deleting Section 3 of the bill and substituting instead the following and designating it as new Section 2:

SECTION 2. Tennessee Code Annotated, Section 49-3-370, is further amended by deleting subdivision (a)(2) in its entirety and by substituting instead the following:

(2) The student admitted to the residential mental health facility was enrolled in an LEA in the academic year immediately preceding admission to the mental health facility and is a currently enrolled student in an LEA; and

AND FURTHER AMEND by deleting Section 4 of the bill and substituting instead the following and designating it as new Section 3:

SECTION 3. Tennessee Code Annotated, Section 49-3-370, is further amended by deleting subdivision (a)(3) in its entirety and by substituting instead the following:

(3) The student is admitted to the residential mental health facility under a signed, written order of a qualified physician licensed to practice medicine in this state, such order being based upon medical necessity. An LEA may require a physician attestation form including the patient's name, the dates of admission, and the signature of the physician to be submitted to the LEA prior to disbursement of funds to the facility.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 3270**, as amended, passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senate Bill No. 3553 -- Schools, Charter -- As introduced, deletes an obsolete provision that required a charter school task force to file a report that has now been filed. Amends TCA Title 49.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-13-104, is amended by adding the following as new appropriately designated subdivisions:

() "Academic focus" means a distinctive, thematic program such as math, science, arts, general academics, or an instructional program such as Montessori or Paideia;

() "Academic plan" means a platform that supports the academic focus of the charter school and will include instructional goals and methods for the school, which, at a minimum, shall include teaching and classroom instruction methods, materials and curriculum that will be used to provide students with knowledge, proficiency and skills needed to reach the goals of the school.

SECTION 2. Tennessee Code Annotated, Section 49-13-106(b)(1), is amended by adding the following as a new subdivision (E):

(E) Preference for applications with the focus of serving students from a group or groups set forth in subdivision (b)(1)(C) shall not reduce the score of applications that demonstrate other strengths or focuses.

SECTION 3. Tennessee Code Annotated, Section 49-13-107(a), is amended by adding the language "and the chartering authority" immediately following the language "Department of Education".

SECTION 4. Tennessee Code Annotated, Section 49-13-107(b)(1), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(1) A statement defining the mission and goals of the proposed charter school, including the proposed charter school's academic focus;

SECTION 5. Tennessee Code Annotated, Section 49-13-107(b)(2), is amended by deleting the language "The proposed instructional goals and methods for the school" and by substituting instead the language "A proposed academic plan, including the instructional goals and methods for each grade level the school will serve".

SECTION 6. Tennessee Code Annotated, Section 49-13-107(b)(4), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(4) An operating budget based on anticipated enrollment; provided, however, that such operating budget shall not exceed a five-year projection;

SECTION 7. Tennessee Code Annotated, Section 49-13-108(a)(2), is amended by deleting the last sentence of the subdivision and by substituting instead the following:

The local board of education shall have thirty (30) days either to deny or to approve the amended application. Should the local board of education fail to either approve or deny the amended application within thirty (30) days, the amended application shall be deemed approved.

SECTION 8. Tennessee Code Annotated, Section 49-13-108(b)(2), is amended by adding the following sentence at the end of the subdivision:

The decision of the treasurer shall be final and not subject to further appeal.

SECTION 9. Tennessee Code Annotated, Section 49-13-112(a), is amended by deleting the language "in February or June" and by substituting instead the language "in October, February, and June".

SECTION 10. Tennessee Code Annotated, Section 49-13-113(c), is amended by deleting the language "to the siblings of a pupil who is already enrolled and".

SECTION 11. Tennessee Code Annotated, Section 49-13-113, is amended by adding the following as a new subsection (d) and by redesignating the remaining subsections accordingly:

(d) Subject to the requirement of subsections (a) and (b), preference may be afforded to the siblings of a pupil who is already enrolled.

SECTION 12. This act shall take effect July 1, 2012, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 3553**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

WEDNESDAY, APRIL 18, 2012 -- 73RD LEGISLATIVE DAY

Senate Bill No. 2544 -- Alcohol Offenses, Sales -- As introduced, creates offense for person under 21 to enter establishment selling for off-premise consumption intoxicating liquors unless accompanied by a parent, legal guardian or spouse 21 years of age or older; creates offense for visibly intoxicated person to enter any such establishment. Amends TCA Title 39, Chapter 14, Part 4; Title 39, Chapter 15, Part 4 and Title 57, Chapter 3.

On motion, Senate Bill No. 2544 was made to conform with **House Bill No. 2459**.

On motion, House Bill No. 2459, on same subject, was substituted for Senate Bill No. 2544.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

On motion of Senator Massey, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 2459** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senate Bill No. 2754 -- Employees, Employers -- As introduced, clarifies that the requirement for the distribution to servers of service charges or gratuities automatically added to a bill does not apply to charges or fees paid by guests to stay at a guest ranch. Amends TCA Title 50, Chapter 2, Part 1.

On motion, Senate Bill No. 2754 was made to conform with **House Bill No. 2671**.

On motion, House Bill No. 2671, on same subject, was substituted for Senate Bill No. 2754.

House Bill No. 2671 passed its third and final consideration by the following vote:

Ayes	21
Noes	10

Senators voting aye were: Beavers, Bell, Burks, Campfield, Crowe, Gresham, Haynes, Johnson, Kelsey, Ketron, Massey, McNally, Norris, Overbey, Roberts, Southerland, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--21.

Senators voting no were: Barnes, Berke, Finney, Ford, Harper, Henry, Herron, Kyle, Marrero and Stewart--10.

A motion to reconsider was tabled.

WEDNESDAY, APRIL 18, 2012 -- 73RD LEGISLATIVE DAY

Senator Kyle moved that **Senate Bill No. 3663** be moved five places down on the Calendar for today, which motion prevailed.

Senator Yager moved that **House Bill No. 2403**, as amended, be moved two places down on the Calendar for today, which motion prevailed.

Senate Joint Resolution No. 693 -- Constitutional Amendments -- As introduced, proposes an amendment to Article VI, Section 5 to provide for selection of the state attorney general by means of gubernatorial appointment with legislative confirmation; and provides for a four-year term of office.

Senator McNally moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the amendatory language "four years" in the first resolving clause of the resolution and by substituting instead the language "six years".

AND FURTHER AMEND by deleting from the amendatory language of the second resolving clause of the resolution the language "four-year term" and by substituting instead the language "six-year term".

AND FURTHER AMEND by deleting from the amendatory language of the second resolving clause of the resolution the language "four (4) years" and by substituting instead the language "six (6) years".

On motion, Amendment No. 1 was adopted.

Senator Beavers moved that the Clerk read the resolution, which motion prevailed.

The Clerk read the resolution.

Thereupon, Mr. Speaker Ramsey declared pursuant to Article XI, Section 3, **Senate Joint Resolution No. 693**, as amended, had been read.

Senate Joint Resolution No. 710 -- Constitutional Amendments -- As introduced, proposes an amendment to Article VI, Section 3 in order to constitutionally enshrine a system for selection of each appellate court judge by means of merit-based gubernatorial appointment with legislative confirmation and, thereafter, contingent upon a satisfactory job performance evaluation, retention election by the voters of the state, as amended.

Senator Overbey declared Rule 13 on **Senate Joint Resolution No. 710**.

Senator Kelsey moved that the Clerk read the resolution, which motion prevailed.

The Clerk read the resolution.

Thereupon, Mr. Speaker Ramsey declared pursuant to Article XI, Section 3, **Senate Joint Resolution No. 710**, as amended, had been read.

House Bill No. 2403 -- County Officers -- As introduced, allows Anderson County to provide cars for the use of salaried county officials. Amends TCA Section 8-26-113, as amended.

WEDNESDAY, APRIL 18, 2012 -- 73RD LEGISLATIVE DAY

Thereupon, **House Bill No. 2403**, as amended, passed its third and final consideration by the following vote:

Ayes 27
Noes 2

Senators voting aye were: Barnes, Beavers, Bell, Burks, Campfield, Crowe, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Massey, McNally, Norris, Overbey, Southerland, Stewart, Summerville, Tracy, Yager and Mr. Speaker Ramsey--27.

Senators voting no were: Berke and Marrero--2.

A motion to reconsider was tabled.

Senate Bill No. 1180 -- Education -- As introduced, requires the Commissioner of Education and executive director of the Tennessee Higher Education Commission to present annual progress reports on Tennessee Challenge 2000 goals by March 15 to the Select Joint Committee on Education and Education Committees of the House and Senate. Amends TCA Title 8 and Title 49.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-5-5024, is amended by deleting the section in its entirety.

SECTION 2. Tennessee Code Annotated, Section 49-7-202(c)(9), is amended by deleting the subdivision in its entirety.

SECTION 3. Tennessee Code Annotated, Section 49-7-210, is amended by deleting the section in its entirety and by substituting instead the following:

49-7-210.

(a) The Tennessee Higher Education Commission shall submit an annual report on the condition of Tennessee higher education to the governor and the general assembly.

(b) This report, which shall be known as the Tennessee Postsecondary Education Fact Book, shall use data from the board of regents system, the University of Tennessee system and their governing bodies and, to the extent possible, from the Tennessee Independent Colleges and Universities Association. The fact book shall also use available regional and national information to put Tennessee's data in context.

(c) The fact book shall address the topics of access, efficiency, productivity, and quality as indicated by the following performance categories and illustrative indicators:

(1) Student preparation, such as admission rates, freshman class profiles, and learning support placement and success rates, by subject area;

(2) Student participation, such as college-going rates, overall enrollment, and enrollment by critical student subpopulations;

(3) Student progression, such as end-of-term enrollment counts, freshman-to-sophomore retention rates, the number of students passing credit hour benchmarks under the higher education funding formula and lottery scholarship renewal rates;

(4) Student success and completion, such as student transfer activity and subsequent academic performance, graduation rates, time to degree, credentials awarded, and credentials awarded per one hundred (100) full-time equivalent enrolled students;

(5) Workforce participation, such as labor market supply and demand, employer satisfaction survey results, job placement rates, and licensure passage rates;

(6) Academic trends, such as student engagement survey results, changes to the academic program inventory, low-producing academic programs, the number and percentage of accredited programs, and the percentage of lower division instructional courses taught by full-time faculty, part-time faculty and graduate assistants;

(7) Financing trends, such as state appropriation levels and net tuition revenues, state and total subsidies per student, and degree costs; and

(8) Affordability trends, such as in-state and out-of-state tuition rates, net costs of attendance, and need-based and merit-based student financial aid.

(d) The fact book shall be published prior to March 15 each year, or as soon as practicable upon receipt of necessary student data from the systems and other sources. The fact book shall be made available in Web-based and printable formats.

SECTION 4. Tennessee Code Annotated, Section 49-7-202(i), is amended by deleting the subdivision in its entirety.

SECTION 5. Tennessee Code Annotated, Section 49-7-202(c)(4)(E), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(E)(i) The commission shall establish a review committee to aid in development or revision of the higher education master plan and funding formula. The committee shall include the executive director of the higher education commission, the chancellor of the board of regents, the president of

the University of Tennessee, the Commissioner of Finance and Administration, the comptroller of the treasury, the chairs of the standing Committees on Education and Finance, Ways and Means of the Senate and the House of Representatives and the director of the office of legislative budget analysis or their designees. The review committee shall meet at least annually.

(ii) As part of the commission's master planning and funding formula responsibilities, as outlined in this section, the committee shall regularly review the funding formula components, as well as identify needed revisions, additions or deletions to the formula. The committee shall also ensure that the funding formula is linked to the goals and objectives of the master plan.

(iii) The committee shall prepare an annual report on its recommendations and shall make that report to the governor and the members of the Education and Finance, Ways and Means Committees of the Senate and the House of Representatives by November 1 of each year.

(iv) Before any amendment or revision to the formula or guidelines for fair and equitable distribution and use of public funds among the state's institutions of higher education shall become effective, the amendment or revision shall be presented to the Education and Finance, Ways and Means Committees of the Senate and House of Representatives for review and recommendation.

SECTION 6. Tennessee Code Annotated, Section 49-4-903(b), is amended by deleting the language "before the second Tuesday in January" and by substituting instead "by March 15".

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1180**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senate Bill No. 2271 -- Insurance Companies, Agents, Brokers, Policies -- As introduced, creates requirements for issuance of certificates of insurance; clarifies the effect of such certificates; and authorizes oversight by the Commissioner of Commerce and Insurance regarding regulation and assessing fines in relation thereto. Amends TCA Title 56.

Senator Ketron declared Rule 13 on **Senate Bill No. 2271**.

Senator Tracy declared Rule 13 on **Senate Bill No. 2271**.

Senator Ford declared Rule 13 on **Senate Bill No. 2271**.

Senator Overbey declared Rule 13 on **Senate Bill No. 2271**.

Senator Faulk declared Rule 13 on **Senate Bill No. 2271**.

Senator Stewart declared Rule 13 on **Senate Bill No. 2271**.

Senator Johnson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 7, Part 1, is amended by adding the following language as a new, appropriately designated section:

(a) The signature of an applicant for or party to an insurance contract on an application, amendment, or other document stating the type, amount, or terms and conditions of coverage, shall create a rebuttable presumption that the statements provided by the person bind all insureds under the contract and that the person signing such document has read, understands, and accepts the contents of such document.

(b) The payment of premium for an insurance contract, or amendment thereto, by an insured shall create a rebuttable presumption that the coverage provided has been accepted by all insureds under the contract.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2271**, as amended, passed its third and final consideration by the following vote:

Ayes	26
Noes	3
Present, not voting . . .	1

Senators voting aye were: Barnes, Beavers, Bell, Crowe, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Massey, McNally, Norris, Overbey, Roberts, Southerland, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--26.

Senators voting no were: Burks, Faulk and Marrero--3.

Senator present and not voting was: Campfield--1.

A motion to reconsider was tabled.

Senate Bill No. 3663 -- Tattoos and Piercings -- As introduced, adds recordkeeping and other requirements for tattooing of minors, increases penalties for violations related to tattooing of minors. Amends TCA Title 37; Title 39, Chapter 15, Part 4 and Title 62, Chapter 38, Part 2.

Senator Crowe moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 1 in its entirety and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 39-15-403, is amended by adding the following as a new subsection:

(c) A person who knowingly falsifies documents for the purpose of obtaining tattooing services for a minor commits a Class A misdemeanor.

AND FURTHER AMEND by deleting Section 5 in its entirety and substituting the following:

SECTION 5. Tennessee Code Annotated, Section 62-38-211, is amended by deleting all of the existing language in the section and substituting instead the following:

(a) Except as provided in subsection (c), it is a Class A misdemeanor to tattoo a person under eighteen (18) years of age.

(b)(1) Any parent, legal guardian, teacher or medical provider or school resource officer for a minor under eighteen (18) years of age, who discovers that a minor has been tattooed is encouraged to report such discovery to the department within three (3) weekdays of making such discovery. Any report made pursuant to this subdivision (b)(1) shall be accompanied by the following information, to the extent that such information is known to the person making the report:

(A) The name, mailing address, telephone number, and email address of the minor's parent or legal guardian; and

(B) The name, mailing address, telephone number, and email address of the person who tattooed the minor.

(2) Within fourteen (14) days of receiving a report that is made pursuant to subdivision (b)(1), which report includes the name and mailing address of the parent or legal guardian of the minor who is the subject of the report, the department shall provide to the minor's parent or legal guardian, by First Class United States mail, a written acknowledgement of receipt of the report.

(3) The department shall establish by rule a process whereby the reports that are required by this subsection (b) may be made by telephone. The department is authorized to establish by rule processes whereby the reports that are required by this subsection (b) may be made in person or by mail, email or other means of communication.

(c)(1) With the written consent of the parent or legal guardian, a minor sixteen (16) years of age or older may be tattooed to cover up an existing tattoo. A parent or legal guardian must present proof of guardianship or custody of the minor, an acknowledgement of receipt of a report provided pursuant to subdivision (b)(2), and must be present during the procedure.

(2) For purposes of subdivision (c)(1), "proof of guardianship or custody" includes a copy of an order of guardianship, a decree for custody, a birth certificate or any other form of proof of guardianship or custody that is permitted by rule of the Department of Health.

(d) Any person under eighteen (18) years of age who knowingly makes a false statement or exhibits false identification to the effect that the person is eighteen (18) years of age or older to any person providing tattoo services licensed or permitted under this part for the purpose of purchasing or obtaining the same commits delinquent acts taken through juvenile courts and the person shall be punished by a fine of not less than fifty (\$50.00) nor more than two hundred fifty dollars (\$250) and not less than twenty (20) hours of community service work, which fine or penalty shall not be suspended or waived.

On motion, Amendment No. 1 was adopted.

Senator Crowe moved to amend as follows:

AMENDMENT NO. 2

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION __. Tennessee Code Annotated, Title 62, Chapter 38, Part 2, is amended by adding a new section to read as follows:

62-38-212.

(a) For the purposes of this section, "tattoo paraphernalia" includes, but is not limited to any equipment, design patterns or needles used or intended for use in tattooing, whether professionally made or homemade, with the intent to permanently mark or color the skin with any pigment, ink, or dye that leaves a visible scar on the skin.

(b)(1) Except when used or possessed with the intent to use by a person licensed under Title 62, Chapter 38 and Part 2, it is unlawful for any person to use, or to possess with intent to use, tattoo paraphernalia.

(2) Any person who violates this subsection (a) commits a Class A misdemeanor.

On motion, Amendment No. 2 was adopted.

Thereupon, **Senate Bill No. 3663**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senate Bill No. 2488 -- Education -- As introduced, requires schools to notify parents, by way of student handbooks or policy guidebooks, of school-associated extracurricular activities and gives parents the opportunity to prohibit their child from participating. Amends TCA Title 49, Chapter 6.

On motion, Senate Bill No. 2488 was made to conform with **House Bill No. 2548**.

On motion, House Bill No. 2548, on same subject, was substituted for Senate Bill No. 2488.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by adding the following language as new subdivision (a)(4) in the amendatory language of Section 1 of the bill:

(4) Notification of the option set forth in subsection (b) to prohibit a student from participating in any club or organization.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 2548**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senate Bill No. 2489 -- Child Custody and Support -- As introduced, adds new factors, whether parent is more likely to honor and facilitate court-approved parenting rights or visitation and whether parent has denied other parent's right to parenting time in accordance with court order, to those that must be considered by court in making custody determination. Amends TCA Title 24, Chapter 7 and Title 36, Chapter 6.

On motion, Senate Bill No. 2489 was made to conform with **House Bill No. 2620**.

On motion, House Bill No. 2620, on same subject, was substituted for Senate Bill No. 2489.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2620** passed its third and final consideration by the following vote:

Ayes	31
Noes	0
Present, not voting . . .	1

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

Senator present and not voting was: Faulk--1.

A motion to reconsider was tabled.

Senate Bill No. 2519 -- Guardianship -- As introduced, specifies rights of respondent to petition for appointment of a conservator. Amends TCA Title 30, Chapter 3; Title 33; Title 34 and Title 71.

Senator Kelsey declared Rule 13 on **Senate Bill No. 2519**.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 34-1-114(a), is amended by deleting the word "shall" in the first sentence and substituting instead the language "may, in the court's discretion,".

SECTION 2. Tennessee Code Annotated, Section 34-3-104, is amended by deleting subdivisions (3) and (4) and substituting instead the following:

(3) The name, age, residence and mailing address of the petitioner, a statement of the relationship of the petitioner to the respondent, and a statement of any felony or misdemeanor convictions of the petitioner, if any.

(4) The name, age, mailing address, relationship of the proposed conservator and a statement of any felony or misdemeanor conviction of the proposed conservator and, if the proposed conservator is not the petitioner, a statement signed by the proposed conservator acknowledging awareness of the petition and a willingness to serve.

SECTION 3. This act shall take effect July 1, 2012, the public welfare requiring it.

WEDNESDAY, APRIL 18, 2012 -- 73RD LEGISLATIVE DAY

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2519**, as amended, passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senate Bill No. 2547 -- Teachers, Principals and School Personnel -- As introduced, requires local boards of education to adopt dress codes for professional employees. Amends TCA Title 49, Chapter 1; Title 49, Chapter 2 and Title 49, Chapter 5.

On motion, Senate Bill No. 2547 was made to conform with **House Bill No. 2222**.

On motion, House Bill No. 2222, on same subject, was substituted for Senate Bill No. 2547.

On motion of Senator Gresham, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2222** passed its third and final consideration by the following vote:

Ayes 30
Noes 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, Massey, McNally, Norris, Overbey, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--30.

A motion to reconsider was tabled.

Senator Johnson moved that **Senate Bill No. 2638** be placed on the Calendar for Thursday, April 19, 2012, which motion prevailed.

Senate Bill No. 2697 -- Drug and Alcohol Rehabilitation -- As introduced, provides that a person is eligible for drug court if the person has been charged with but not convicted of a violent felony or does not have a pattern of convictions for violent misdemeanors. Amends TCA Title 16, Chapter 22, Part 1.

On motion, Senate Bill No. 2697 was made to conform with **House Bill No. 2890**.

On motion, House Bill No. 2890, on same subject, was substituted for Senate Bill No. 2697.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

WEDNESDAY, APRIL 18, 2012 -- 73RD LEGISLATIVE DAY

Thereupon, **House Bill No. 2890** passed its third and final consideration by the following vote:

Ayes 28
Noes 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Finney, Ford, Gresham, Harper, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--28.

A motion to reconsider was tabled.

Senator Johnson moved that **Senate Bill No. 2741** be placed on the Calendar for Monday, April 23, 2012, which motion prevailed.

Senate Bill No. 2818 -- Election Laws -- As introduced, authorizes the Election Commission to designate a polling place outside the precinct it is to serve, but within the limits of the municipality, for a municipal election not held in conjunction with any other election. Amends TCA Title 2, Chapter 3, Part 1.

On motion, Senate Bill No. 2818 was made to conform with **House Bill No. 2844**.

On motion, House Bill No. 2844, on same subject, was substituted for Senate Bill No. 2818.

Senator Yager moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the language "but" in the amendatory language of Section 1 and substituting instead the language "but to the closest geographic precinct".

On motion, Amendment No. 1 was adopted.

Senator Massey moved that **House Bill No. 2844**, as amended, be placed on the Calendar for Thursday, April 19, 2012, which motion prevailed.

Senate Bill No. 2892 -- Children -- As introduced, identifies factors to evaluate the best interest of the child in juvenile court proceedings. Amends TCA Title 36; Title 37; Title 39 and Title 40.

On motion, Senate Bill No. 2892 was made to conform with **House Bill No. 2895**.

On motion, House Bill No. 2895, on same subject, was substituted for Senate Bill No. 2892.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2895** passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senate Bill No. 2911 -- Judgments -- As introduced, requires that funds taken from a person who is protected by the federal "Servicemembers Civil Relief Act" in a default judgment be returned to that person upon a finding that the person is so protected. Amends TCA Title 20; Title 25; Title 26; Title 27; Title 29; Title 36; Title 47 and Title 67.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 25, Chapter 3, is amended by adding the following as a new appropriately designated section thereto:

25-3-144.

If a court wrongly grants a default decision imposing an obligation for child support from or against an eligible individual protected under the federal Servicemembers Civil Relief Act, 50 U.S.C. §§ 501 et seq., the court shall issue an order to the individual receiving funds that the funds shall be returned and reimbursed.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2911**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senate Bill No. 2948 -- Probate Law -- As introduced, revises and clarifies various provisions of law related to probate matters. Amends TCA Title 8; Title 29; Title 30; Title 32; Title 33; Title 35 and Title 56.

Senator Norris declared Rule 13 on **Senate Bill No. 2948**.

Senator Kelsey declared Rule 13 on **Senate Bill No. 2948**.

Senator Overbey declared Rule 13 on **Senate Bill No. 2948**.

On motion, Senate Bill No. 2948 was made to conform with **House Bill No. 3237**.

On motion, House Bill No. 3237, on same subject, was substituted for Senate Bill No. 2948.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 3237** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senate Bill No. 2958 -- Children -- As introduced, requires petitions in juvenile court cases to list the legal parents and any persons alleged to be the biological father of the child; requires a copy of the summons in such cases be sent to the legal parents and any persons alleged to be the biological father of the child. Amends TCA Section 37-1-121 and Section 37-1-120.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substitute with the following:

SECTION 1. Tennessee Code Annotated, Section 37-1-120(3), is amended by adding the word "legal" between "the" and "parents" and deleting "and" at the end of the subdivision.

SECTION 2. Tennessee Code Annotated, Section 37-1-120, is amended by adding the following as a new subsection (4) and renumbering the remaining subdivision accordingly:

(4) The names, and residence addresses, if known to the petitioner, of any persons, other than the legal father, alleged to be the biological father of the child whose parental rights have not been terminated; and

SECTION 3. Tennessee Code Annotated, Section 37-1-121(a), is amended by adding the word "legal" between "the" and "parents" in the second sentence and adding the following sentence at the end of the subsection:

The summons shall also be directed to any persons, other than the legal father, alleged to be the biological father of the child and whose parental rights have not been terminated, if the child is alleged to be a dependent and neglected or abused child.

SECTION 4. This act shall take effect on July 1, 2012, the public welfare requiring it and shall apply to any proceeding commenced on or after such date.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2958**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senate Bill No. 2988 -- Criminal Procedure -- As introduced, allows a judge to sentence a first-time offender of domestic assault to attend a 24-week intervention program to satisfy an alternative sentencing program provided the defendant does not have prior domestic or sexual offense convictions in this state or any other state. Amends TCA Title 39 and Title 40.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-13-111, is amended by deleting subsection (d) and by substituting instead the following:

(d) As part of a defendant's alternative sentencing for a violation of this section, the sentencing judge may direct the defendant to complete a drug or alcohol treatment program or available counseling programs that address violence and control issues including, but not limited to, a batterer's intervention program that has been certified by the domestic violence state coordinating council. Completion of a non-certified batterer's intervention program shall only be ordered if no certified program is available in the sentencing county. No batterer's intervention program, certified or non-certified, shall be deemed complete until the full term of the program is complete, and a judge may not require a defendant to attend less than the full term of a program as part of a plea agreement or otherwise. The defendant's knowing failure to complete such an intervention program shall be considered a violation of the defendant's alternative sentence program and the sentencing judge may revoke the defendant's participation in such program and order execution of sentence.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2988**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senate Bill No. 3076 -- Criminal Offenses -- As introduced, specifies that a public place includes places that an ordinary observer would see while located in a public place. Amends TCA Title 39 and Title 40.

On motion, Senate Bill No. 3076 was made to conform with **House Bill No. 3257**.

On motion, House Bill No. 3257, on same subject, was substituted for Senate Bill No. 3076.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 3257** passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senator Marrero moved that **Senate Bill No. 3142** be placed on the Calendar for Thursday, April 19, 2012, which motion prevailed.

Senate Bill No. 3154 -- Sexual Offenders -- As introduced, authorizes judge, after consideration of facts and circumstances surrounding the case, to require a person convicted of statutory rape for the first time to register as a sexual offender on the sexual offender and violent sexual offender registry. Amends TCA Title 39, Chapter 13, Part 5 and Title 40, Chapter 39, Part 2.

On motion, Senate Bill No. 3154 was made to conform with **House Bill No. 3283**.

On motion, House Bill No. 3283, on same subject, was substituted for Senate Bill No. 3154.

House Bill No. 3283 passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senator Kelsey moved that **Senate Bill No. 3275** be placed on the Calendar for Thursday, April 19, 2012, which motion prevailed.

Senate Bill No. 3642 -- Criminal Procedure -- As introduced, clarifies that a defendant cannot get records expunged if convicted of an offense other than the charged offense or convicted of one offense in a multi-count indictment, including lesser included offenses. Amends TCA Title 40, Chapter 32, Part 1.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Sections 2 and 3 and substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 40-32-101(a)(1)(D) is deleted in its entirety and substituted instead with the following:

(D) Notwithstanding the provisions of subdivisions (a)(1)(B) and (C) or (a)(6), the records of a person who successfully completes a pretrial diversion program pursuant to §§ 40-15-102 – 40-15-107, or a judicial diversion program pursuant to § 40-35-313, shall not be expunged pursuant to this section, if the offense for which the person was diverted was a sexual offense as defined by § 40-39-202, or a violent sexual offense as defined by § 40-39-202.

SECTION 3. Tennessee Code Annotated, Section 40-32-101(a), is amended by adding the following new subdivision (6):

(6) Except as provided in subsection (f), it is the intent of this section that a person is entitled to the expunction of public records in a criminal case only if the person successfully completes a pretrial diversion program pursuant to §§ 40-15-102 – 40-15-107 or a judicial diversion program pursuant to § 40-35-313, the charges against such person are dismissed, or the person is entitled to have all public records removed and destroyed by reason of one (1) of the results specified in this section.

SECTION 4. This act shall take effect July 1, 2012, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 3642**, as amended, passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senate Bill No. 420 -- Mental Health, Dept. of -- As introduced, changes the requirement that the statewide planning and policy council meet at least quarterly to meeting at least twice each year. Amends TCA Title 33.

Senator Crowe moved that Amendment No. 1 be placed behind Amendment No. 2, which motion prevailed.

Senator Massey moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 33, Chapter 6, Part 6, is amended by adding the following as a new section:

33-6-624.

(a)(1) There shall be created a pilot project in Knox County, Tennessee, for up to two (2) years for a maximum of ten (10) patients at any given time to receive assisted outpatient treatment.

(2) In addition to any authorized action under § 33-6-502, a court of competent jurisdiction may order a proposed patient to receive assisted outpatient treatment upon finding that the conditions of § 33-6-502(1)-(3) have been met.

(b) Before ordering an outpatient treatment plan pursuant to this part, the court shall comply with subsections (c)-(f).

(c)(1) A proposed outpatient treatment plan, developed pursuant to this section by a physician or a professional designated under § 33-6-427(a) or (b) who has examined the proposed patient no more than ten (10) days prior to the entering of an order pursuant to this part, shall be presented to the court in writing. The plan shall include all services the examining physician or a professional designated under § 33-6-427 (a)

or (b) recommends that the proposed patient receive, and for each such recommended service, identify an appropriate community-based provider that has agreed to provide it.

(2) If the proposed outpatient treatment plan includes alcohol or substance abuse counseling and treatment, it may include a provision requiring relevant testing for either alcohol or illegal substances; provided the clinical basis of the physician or a professional designated under § 33-6-427 (a) or (b) for recommending such plan provides sufficient facts for the court to find:

(A) That such person has a history of alcohol or substance abuse that is clinically related to the mental illness; and

(B) That such testing is necessary to prevent a relapse or deterioration which would be likely to result in serious harm to the person or others.

(3) The examining physician or a professional designated under § 33-6-427(a) or (b) shall:

(A) Provide an opportunity to actively participate in the development of the treatment plan to the proposed patient, the treating physician or a professional designated under § 33-6-427(a) or (b), if any, and, upon the rest of the proposed patient, any other individual significant to the proposed patient; and

(B) Make reasonable efforts to gather information that may be relevant in the development of the treatment plan from the proposed patient's family or significant others.

(d) At all stages of a proceeding commenced under this section, the proposed patient shall have the right to be represented by counsel. If neither the patient nor others provide counsel, the court shall appoint counsel for the proposed patient. Upon request of the proposed patient, the court shall order an independent examination by a physician or a professional designated under § 33-6-427(a) or (b) only when retained by the proposed patient.

(e)(1) Upon receipt of a petition for which assisted outpatient treatment may be an option, the court shall fix the date for a hearing. Such date shall be no later than ten (10) days from the date such petition is received by the court excluding Saturdays, Sundays, and holidays. Adjournments shall be permitted only for good cause shown. In granting adjournments, the court shall consider the need for further examination of the proposed patient and the potential need to provide assisted outpatient treatment expeditiously. The court shall cause the proposed patient, any other person to whom notice is due under this chapter, the petitioner, the physician or a professional designated under § 33-6-427(a) or (b) whose affirmation or affidavit accompanied the petition, and such other persons as the court may determine to be

advised of such date. Upon such date, or upon such other date to which the proceeding may be adjourned, the court shall hear testimony and, if it is deemed advisable and the proposed patient is available, examine the proposed patient in or out of court. If the proposed patient does not appear at the hearing, and appropriate attempts to elicit the attendance of the proposed patient have failed, the court may conduct the hearing in the proposed patient's absence. In such case, the court shall set forth the factual basis for such determination.

(2) If the affidavit or affirmation of the physician or a professional designated under § 33-6-427(a) or (b) accompanying the petition indicates that the proposed patient has not submitted to an examination in the ten (10) days prior to the filing of the petition, the court may request the proposed patient to submit to an examination by a physician or a professional designated under § 33-6-427(a) or (b) appointed by the court. If the proposed patient does not consent and the court finds reasonable cause to believe that the allegations in the petition are true, the court may order law enforcement officers to take the proposed patient into custody in accordance with § 33-6-618 and transport the patient to a hospital for examination by a physician or a professional designated under § 33-6-427(a) or (b). Transportation will be conducted in accordance with Parts 4 and 9 of this chapter. The subject may be detained for the period required to complete the examination, but not more than forty-eight (48) hours. The physician or a professional designated under § 33-6-427(a) or (b) whose affirmation or affidavit accompanied the petition may perform such examination of the proposed patient if the physician or a professional designated under § 33-6-427(a) or (b) is privileged or otherwise authorized by such hospital to do so. If such examination is performed by another physician or a professional designated under § 33-6-427(a) or (b), the examining physician or a professional designated under § 33-6-427(a) or (b) may consult with the physician or a professional designated under § 33-6-427(a) or (b) whose affirmation or affidavit accompanied the petition as to whether the subject meets the criteria for assisted outpatient treatment. Upon completion of the examination, the subject shall be released and the examining physician or a professional designated under § 33-6-427(a) or (b) shall report the finding of the examination to the court. The court shall not hold a hearing on the petition unless and until the examining physician or a professional designated under § 33-6-427(a) or (b) submits to the court:

(A) An affidavit or affirmation stating that the physician or a professional designated under § 33-6-427(a) or (b) concurs that the proposed patient meets the criteria for assisted outpatient treatment; and

(B) A proposed assisted outpatient treatment plan for the proposed patient, developed by the examination physician or a professional designated under § 33-6-427(a) or (b), and conforming to the requirements of subsection (c).

(3) The court shall not order assisted outpatient treatment unless an examining physician or a professional designated under § 33-6-427(a) or (b) who has personally examined the proposed patient no more than ten (10) days before the filing of the petition and recommends assisted outpatient treatment, testifies at the hearing. Such physician or a professional designated under § 33-6-427(a) or (b) shall testify to:

(A) The facts and clinical determinations that support the allegations that the proposed patient meets each of the criteria for assisted outpatient treatment; and

(B) The proposed assisted outpatient treatment plan, the rationale for each component of such plan, and whether each such component is the least restrictive available alternative to serve the clinical needs of the proposed patient; and

(C) A history of medication compliance.

(4) The proposed patient shall be afforded an opportunity to present evidence, to call witnesses on the patient's behalf, and to cross-examine adverse witnesses.

(5) Unless the proposed patient requests a public hearing, the hearing shall be confidential and a report of the proceedings shall not be released to the public or press.

(f)(1) If after hearing all relevant evidence, the court does not find by clear and convincing evidence that the proposed patient meets the criteria for assisted outpatient treatment, the court shall not order outpatient treatment under this section and shall order inpatient care and treatment under § 33-6-502 or make other dispositions as authorized by law.

(2) If after hearing all relevant evidence, the court finds by clear and convincing evidence that the proposed patient meets the criteria for assisted outpatient treatment, the court may order the proposed patient to receive assisted outpatient treatment for an initial period not to exceed six (6) months. In fashioning the order, the court shall specifically make findings by clear and convincing evidence that the ordered treatment is the least restrictive treatment appropriate and feasible for the proposed patient, and that community resources and a willing treatment provider are available to support such treatment. The order shall state an assisted outpatient treatment plan, which shall include all categories of assisted outpatient treatment that the proposed patient is to receive, but shall not include any such category that has not been recommended in both the proposed written treatment plan and the testimony provided to the court.

(3) If after hearing all relevant evidence the court finds by clear and convincing evidence that the proposed patient meets the criteria for assisted outpatient treatment and that the treatment recommended by the examining physician or a professional designated under § 33-6-427(a) or (b) is in whole or in part appropriate, but the court does not find by clear and convincing evidence that community resources and a willing treatment provider are available to provide such treatment, the court shall state such findings of fact on the record and deny assisted outpatient treatment without prejudice and may order such other treatment or commitment as authorized by law.

(4) The petitioner shall cause a copy of any court order issued pursuant to this section to be served personally, or by mail, facsimile or electronic means, upon the assisted outpatient and all service providers identified in the treatment plan.

(g) In addition to any other right or remedy available by law with respect to the order for assisted outpatient treatment, either party to the order may apply to the court, on notice to the other party and all others entitled to notice, to stay, vacate, or modify the order.

(h) The treatment provider may modify the treatment plan according to the treatment needs of the assisted outpatient and provide notice to the court and petitioner.

(i) Within thirty (30) days prior to the expiration of an order for assisted outpatient treatment, the original applicant, if the petitioner retains the status of an authorized petitioner pursuant to this chapter, or, in the absence of a timely petition by the original petitioner, any other person authorized to petition pursuant to this chapter, may apply to the court to order continued assisted outpatient treatment and the court may order continued assisted outpatient for a period not to exceed six (6) months from the expiration date of the current order if the court finds by clear and convincing evidence that the assisted outpatient continues to meet the criteria in this part. If the court's disposition of such petition does not occur prior to the expiration date of the current order, the current order shall remain in effect for up to an additional thirty (30) days without further action of the court. If the court's disposition of such petition does not occur within thirty (30) days after the expiration date of the current order, the order for assisted outpatient treatment shall terminate. The procedures for obtaining any order pursuant to this subsection (i) shall be in accordance with this section.

(j) Section 33-6-607 shall apply to the costs incurred for services ordered under this section.

(k) An assisted outpatient's substantial failure to comply with the order of the court shall constitute reason for a physician or a professional designated under § 33-6-427(a) or (b) to determine whether the assisted outpatient is subject to emergency detention under § 33-6-401, and shall give rise to the authority under § 33-6-402 for such physician or a professional designated under § 33-6-427(a) or (b) to take custody of the assisted

outpatient. Failure to comply with an order of assisted outpatient treatment shall not be grounds for a finding of contempt of court or for non-emergency involuntary detention under this title. Nothing in this section precludes the use of detention by law enforcement officers under § 33-6-402.

(I) The Commissioner of Mental Health is authorized to promulgate rules to implement the provisions of this section in accordance with the Uniform Administration Procedures Act, compiled in Title 4, Chapter 5.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it. For purposes of rulemaking, this act shall be effective upon becoming a law.

On motion, Amendment No. 2 was adopted.

On motion of Senator Crowe, Amendment No. 1 was withdrawn.

Thereupon, **Senate Bill No. 420**, as amended, passed its third and final consideration by the following vote:

Ayes	29
Noes	0

Senators voting aye were: Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Yager and Mr. Speaker Ramsey--29.

A motion to reconsider was tabled.

Senator Ketron moved that **Senate Bill No. 2556** be placed on the last Calendar, which motion prevailed.

Senate Bill No. 3632 -- Education -- As introduced, enacts the "Religious Viewpoints Antidiscrimination Act". Amends TCA Title 49, Chapter 6.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, Amendment No. 1 was adopted.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting in Section 3 of the bill the language "2012-2013" and by substituting instead the language "2013-2014".

On motion, Amendment No. 2 was adopted.

Thereupon, **Senate Bill No. 3632**, as amended, passed its third and final consideration by the following vote:

Ayes	29
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Campfield, Crowe, Faulk, Finney, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--29.

A motion to reconsider was tabled.

House Bill No. 2913 -- Landlord and Tenant -- As introduced, permits landlord to terminate rental agreement if tenant creates a hazardous or unsanitary, instead of hazardous and unsanitary, condition on the property; deletes requirement that landlord notify tenant at time of lease signing of location of separate account for security deposits. Amends TCA Title 66, Chapter 28, as amended.

Senator Campfield declared Rule 13 on **House Bill No. 2913**.

Senator Campfield moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 66-28-301, is amended by deleting subsection (h) in its entirety and by substituting instead the following:

(h) Notwithstanding the provisions of subsection (a), all landlords of residential property shall be required to notify their tenants at the time such persons sign the lease and submit the security deposit, of the location of the account required to be maintained pursuant to this section, but shall not be required to provide the account number to such persons.

On motion, Amendment No. 2 was adopted.

Thereupon, **House Bill No. 2913**, as amended, passed its third and final consideration by the following vote:

Ayes	26
Noes	4

Senators voting aye were: Barnes, Beavers, Bell, Burks, Campfield, Crowe, Faulk, Gresham, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Massey, McNally, Norris, Overbey, Roberts, Southerland, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--26.

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Senators voting no were: Berke, Finney, Marrero and Stewart--4.

A motion to reconsider was tabled.

Senator Faulk moved that **Senate Bill No. 2284** be placed on the Calendar for Wednesday, April 25, 2012, which motion prevailed.

House Joint Resolution No. 679 -- Naming and Designating -- "Human Trafficking Awareness Month" in Tennessee, May, 2012.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

Thereupon, **House Joint Resolution No. 679** was concurred in by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

RECALL OF BILL

On motion of Senator Faulk, **Senate Bill No. 2711** was recalled from the Committee on Calendar.

REFERRAL OF BILL

Senator Faulk moved that Senate Bill No. 2711 be referred to the Committee on Finance, Ways and Means, which motion prevailed.

MOTION

Senator McNally announced pursuant to Rule 31 that **Senate Bills Nos. 1715 and 2711** will be added to the calendar for the Committee on Finance, Ways and Means for Wednesday, April 18, 2012, which motion prevailed.

NOTICES

MESSAGE FROM THE HOUSE

April 18, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2920, substituted for House Bill on same subject, amended, and passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 18, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3241, substituted for House Bill on same subject, amended, and passed by the House.

JOE MCCORD,
Chief Clerk.

MOTION

On motion of Senator Marrero, her name was added as sponsor of **Senate Bills Nos. 420 and 1804; and House Joint Resolution No. 967.**

On motion of Senators Burks and Gresham, their names were added as sponsors of **Senate Bill No. 1093.**

On motion of Senator Faulk, his name was added as sponsor of **Senate Bills Nos. 2179, 2914, 2915 and 2948.**

On motion of Senator Ketron, his name was added as sponsor of **Senate Bill No. 2271.**

On motion of Senator Ford, her name was added as sponsor of **Senate Bills Nos. 2547 and 3142.**

On motion of Senator Burks, her name was added as sponsor of **Senate Bills Nos. 2556, 2741, 3076, 3154, 3270 and 3663.**

On motion of Senators Burks, Ford and Stewart, their names were added as sponsors of **Senate Bill No. 2697.**

On motion of Senators Burks, Ford, Harper and Marrero, their names were added as sponsors of **Senate Bill No. 2892.**

On motion of Senators Barnes, Marrero and Stewart, their names were added as sponsors of **Senate Bill No. 2911.**

On motion of Senators Harper and Marrero, their names were added as sponsors of **Senate Bill No. 2988.**

On motion of Senator Kelsey, his name was added as sponsor of **Senate Bills Nos. 3094 and 3763.**

On motion of Senators Faulk and Ford, their names were added as sponsors of **Senate Bill No. 3275.**

On motion of Senators Marrero and Kyle, their names were added as sponsors of **Senate Bill No. 3520.**

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On motion of Mr. Speaker Ramsey, his name was added as sponsor of **Senate Bill No. 3632**.

On motion of Senator Bell, his name was added as sponsor of **Senate Joint Resolution No. 710; and House Joint Resolutions Nos. 713 and 949**.

On motion of Senators Ford and Kelsey, their names were added as sponsors of **House Joint Resolution No. 679**.

On motion of Senator Overbey, his name was added as sponsor of **House Joint Resolution No. 869**.

On motion of Senator Yager, his name was added as sponsor of **House Joint Resolution No. 871**.

On motion of Senators Marrero, Ford, Kelsey, Kyle and Norris, their names were added as sponsors of **House Joint Resolution No. 953**.

On motion of Senator Marrero, her name was added as sponsor of **House Joint Resolution No. 967**.

ENGROSSED BILLS

April 18, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined Senate Bills Nos. 420, 1180, 2271, 2519, 2911, 2957, 2958, 2988, 3150, 3270, 3553, 3632, 3642 and 3663; and Senate Joint Resolutions Nos. 765, 766, 767, 768, 769, 770, 771, 772, 773, 774 and 775; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk.

MESSAGE FROM THE HOUSE

April 18, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 651, 2389, 2537 and 3517; passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 18, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 3381, passed by the House.

JOE MCCORD,
Chief Clerk.

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MESSAGE FROM THE HOUSE

April 18, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 750 and 840, adopted, for the Senate's action.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 18, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 773, 843, 934, 959, 961, 962, 963, 964, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976 and 977; adopted, for the Senate's action.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 18, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2871, 3222 and 3233; substituted for House Bills on same subjects and passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 18, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2912 and 3174, substituted for House Bills on same subjects and passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 18, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 751, 752, 753, 754, 755, 756, 757, 758, 761, 763 and 764; concurred in by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 18, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 679, 869, 871 and 953; for the signature of the Speaker.

JOE MCCORD,
Chief Clerk.

SIGNED

April 18, 2012

The Speaker announced that he had signed the following: Senate Bills Nos. 1429, 1864, 2241, 2274, 2462, 2463, 2587, 2596, 2755, 2852, 2879, 2970, 3062, 3165, 3179, 3257, 3345, 3549, 3602, 3608, 3801 and 3803; and House Bills Nos. 429, 2215, 2372, 2384, 2442, 2453, 2639, 2645, 2683, 2856, 2860, 2984, 2986, 3009, 3129, 3282, 3637, 3638, 3746, 3828, 3846, 3857, 3862, 3864, 3866 and 3868.

SIGNED

April 18, 2012

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 533, 734, 735, 736, 737, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750 and 806; and Senate Resolutions Nos. 93 and 94.

SIGNED

April 18, 2012

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 679, 869, 871 and 953.

MESSAGE FROM THE HOUSE

April 18, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 533, 734, 735, 736, 737, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750 and 806; signed by the Speaker.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE GOVERNOR

April 18, 2012

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bill No. 3787, with his approval.

HERBERT H. SLATERY III,
Counsel to the Governor.

ADJOURNMENT

Senator Norris moved the Senate adjourn until 11:00 a.m., Thursday, April 19, 2012, which motion prevailed.